

Defs' Exhibit 1

U.S. Customs and Border Protection  
United States Border Patrol  
Del Rio Sector

Texas Department of Public Safety  
Engagement  
Eagle Pass, Texas



Defs' Exhibit 1

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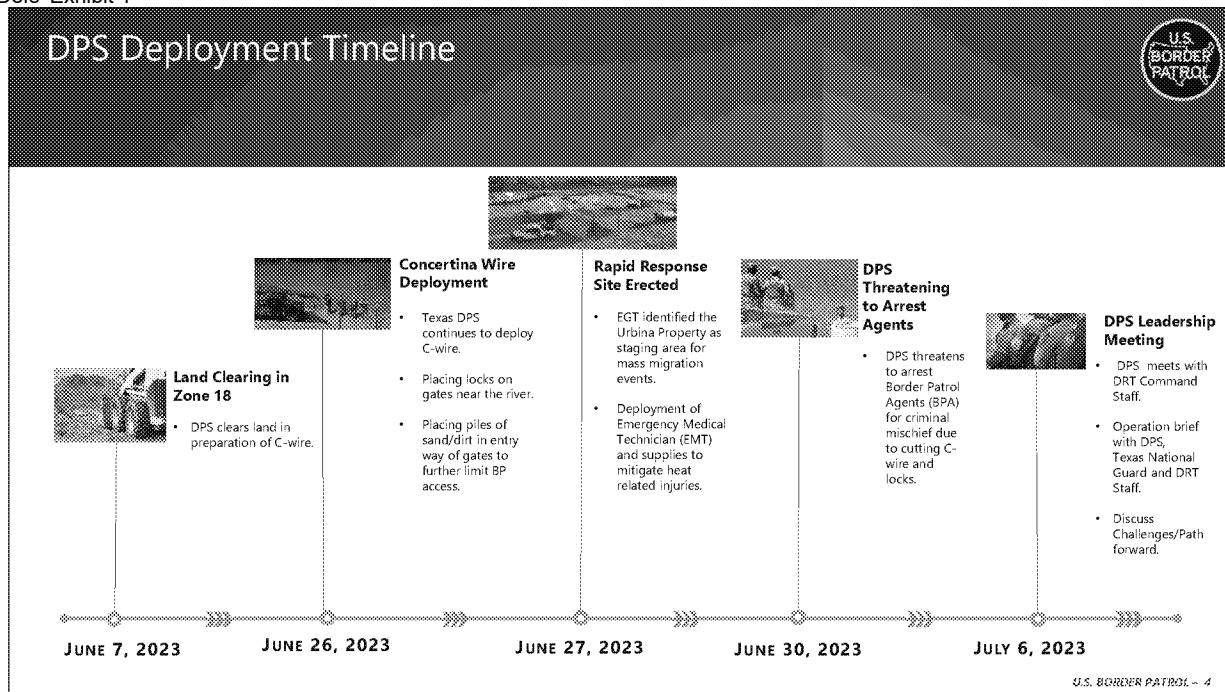
Def's Exhibit 1



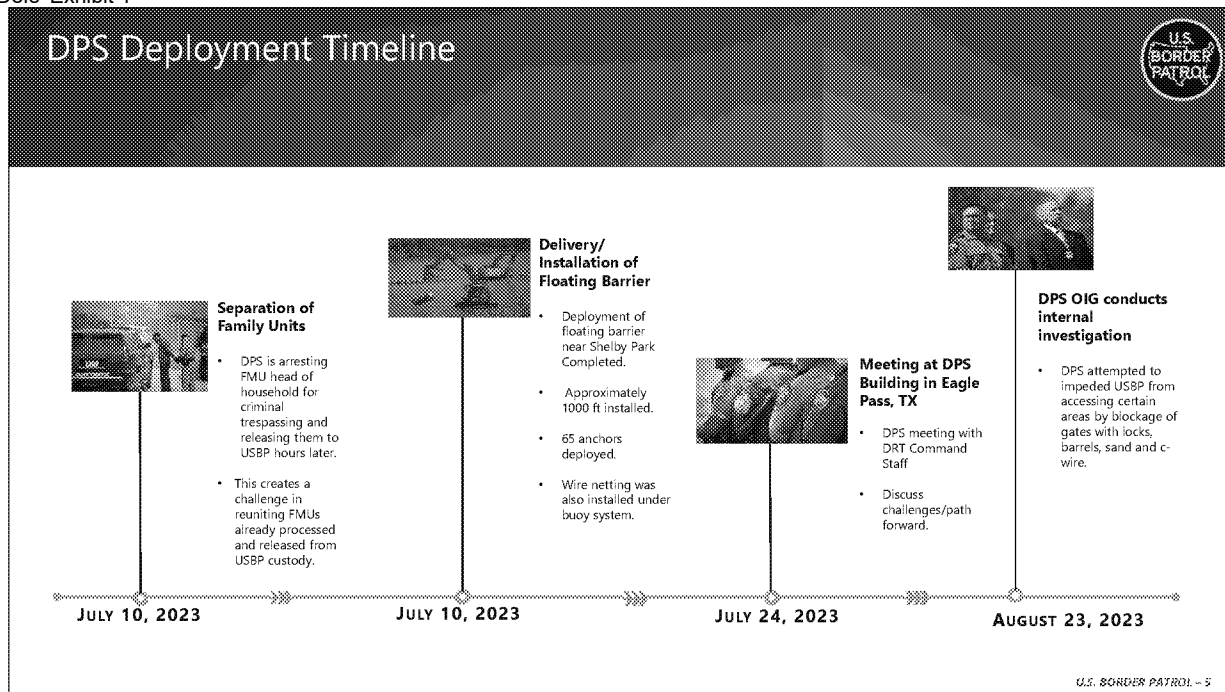
- The Del Rio Sector (DRT) has identified items of concern regarding the deployment of personnel and infrastructure by The Texas Department of Public Safety (DPS) within the Eagle Pass Station's (EGT) Area of Responsibility (AOR). These actions have been implemented by DPS to deter illegal entries along the Rio Grande River in EGT's Zone 18, but they have also impacted Border Patrol operations.
- DPS has deployed in force to DRT's AOR and have implemented various strategies to deter illegal immigration. These strategies include the installation of a floating river barrier, concertina wire (c-wire), and applied legal consequences. These strategies have impacted Border Patrol operations.

U.S. BORDER PATROL - 3

Defts' Exhibit 1



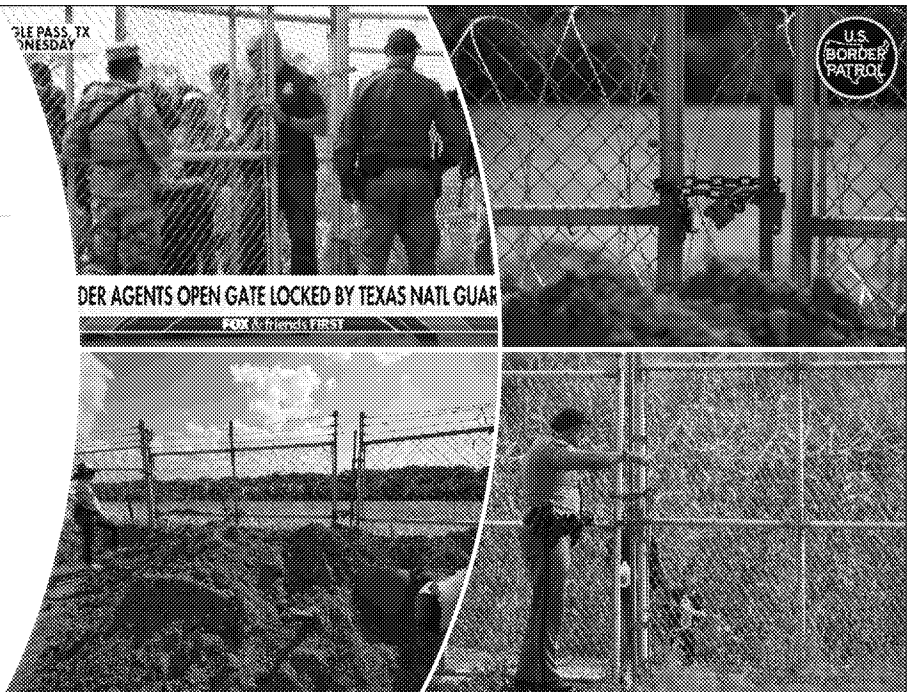
Defts' Exhibit 1



Deps' Exhibit 1

## DPS Tactics

- DPS locked gates that provide immediate access to the river.
- DPS intentionally placed piles of dirt which restrict agents from opening gates to provide medical care.
- BPA's must cut locks to open gates and tend to family units stranded in the heat for hours.



Defs' Exhibit 1

## Concertina Wire

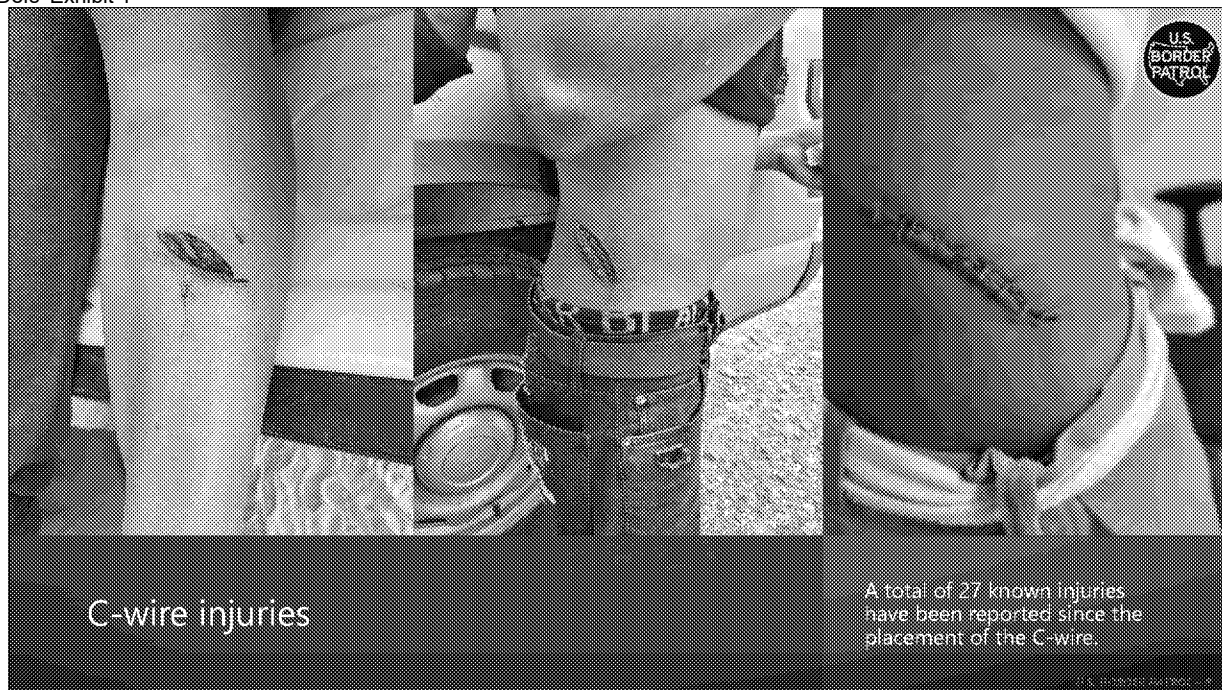
- Inhibits agents from effectively and efficiently apprehending at risk populations (i.e., family units with infants and unaccompanied children). Migrants are exposed to the elements for hours while waiting on the riverbank.
- Manpower is being redirected to local hospitals to provide hospital watch for migrants that have been injured due to the concertina wire.



CBPTX2355-0000007



Defs' Exhibit 1





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## Floating Barriers

- DPS has deployed approximately 1000 ft of floating barrier near the Port of Entry #1 in Eagle Pass, Texas.
- This pilot program was initiated by DPS with the intent to expand to several miles if deemed successful.
- Overall, the deployment of these floating barriers has not deterred migrants from illegally crossing the Rio Grande River as DPS anticipated.



Defs' Exhibit 1

This concludes our presentation.  
Thank you.





**U.S. Customs and Border Protection  
Office of Border Patrol  
Del Rio Sector**

**Eagle Pass Station  
DPS and TNG Deployment of Concertina Wire  
June 26, 2023**

**BRIEFING TOPIC:**

The Texas Department of Public Safety (DPS) and the Texas National Guard (TNG) continue their efforts to secure the border in Eagle Pass, Texas within the Eagle Pass Station's (EGT) area of responsibility (AOR) (Zone 18). Currently, DPS and TNG are placing concertina in the river and alongside the river down through Eagle Pass South (EGS) AOR (Zone 19) to further deter illegal entries.

**BACKGROUND:**

For fiscal year to date 2023, EGT has reported [REDACTED] detections in Zone 18 made up of [REDACTED] apprehensions, [REDACTED] gotaways, and [REDACTED] turnbacks, thus making Zone 18 the busiest zone in the EGT AOR. EGS has reported [REDACTED] detections in Zone 19, made up of [REDACTED] apprehensions [REDACTED] gotaways, and [REDACTED] turnbacks, making Zone 19 the busiest zone in the EGS AOR.

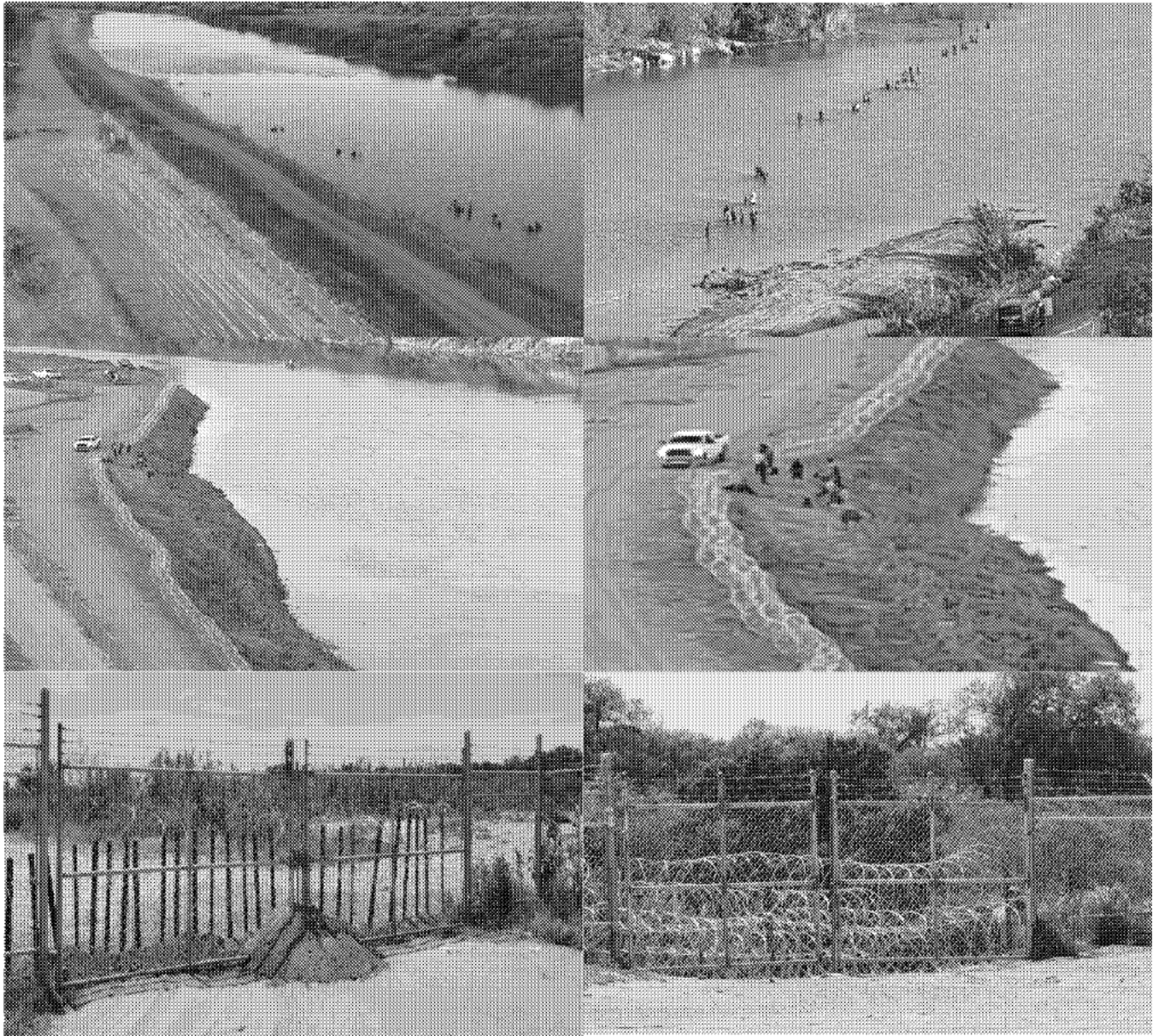
**CURRENT SITUATION:**

- Agents have reduced visibility to the river as they patrol the area due to the concertina wire preventing access to the river. Concertina wire has been layered across gates that provided immediate access to the river.
- The concertina wire inhibits agents from effectively and efficiently apprehending at risk population (i.e., family units with infants and unaccompanied children). Non-citizens are stating that they have been inside the river for hours and days exposed to the elements with no assistance from DPS.
- With the increased temperatures reaching triple digits and multiple layers of concertina wire creates a risk to agents and non-citizens alike. Agents have trouble responding to medical emergencies (911 Calls) as the multiple layers of concertina wire are required to be cut and removed.
- DPS has effectively shut down key designated areas that were identified as staging points for mass migration events to remove non-citizens from the elements to screen, input, and transport them to the detention centers.
- Non-citizens are now traversing the river along the fence down to EGS AOR increasing the chances of drownings.
- With water levels increasing and the concertina wire placed inside the river poses a high risk of injury as the wire is submerged and not visible.
- DPS Command Center is calling EGT/EGS to respond and apprehend non-citizens refusing to go back at difficult locations. Response times are longer than needed which has been perceived by DPS as refusal to respond.
- Currently there is no path forward if DPS continues to deploy the concertina wire. The challenges will not only increase for EGT, but for EGS as well.

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**PHOTOS:**



**VIDEO LINK:**

Below is a link for aerial footage of the area. *Note: The video was captured by the EGT Station's SUAS Team.*

Link: Group headed Down River.MP4

**GPS COORDINATES:**

Staging location at the [REDACTED]

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**MAP OF AREA:**





Message

**From:** DONALDSON, MICKY D [REDACTED]  
**Sent:** 10/28/2023 4:37:34 PM  
**To:** EGT-Supervisors [REDACTED]  
**CC:** CAVAZOS, GEORGE [REDACTED]  
**Subject:** Fwd: DPS/LEO Interactions

Good morning,

We just got off a call with our Sector Leadership regarding our response to handling migrants on the river side of c-wire or connex boxes.

Updated Guidance;

If agents, migrants or anyone is in distress on the river side of c-wire or connex boxes, take action necessary to get through the impedance to provide first aid. Makes sure to get photographs of the incident and document in ESR/IIR.

If there are no migrants in distress or any emergency on the river side of the c-wire, we will refrain from cutting through c-wire until we have approval from Sector.

Notify your chain of command and we will route up and we will notify you once the decision is made.

Unless it is an emergency, supervisors and above should be the only agents cutting c-wire.

Anytime we do cut through the c-wire an IIR will be generated for documentation.

Continue to remain professional with our partners, ensure we are relaying that message to agents in muster.

If there is a disagreement let us know and George or I will handle it. Get names of anyone involved.

Let us know if you have any questions.

Thanks,

Micky

---

**From:** DONALDSON, MICKY D [REDACTED]  
**Sent:** Friday, June 30, 2023 2:48 PM  
**To:** GARCIA, ABRAHAM [REDACTED]  
**Subject:** DPS/LEO Interactions

Team,

As we continue to deal with the influx of migrants attempting to make illegal entry and the deployment of resources from the State of Texas, there are a few things to keep in mind,

- If migrants have made landfall and made illegal entry beyond the concertina wire located at the river, we are required to respond and establish citizenship. If it is **not** an emergency, notify a supervisor and



they will respond to cut the concertina wire and allow entry. If a supervisor is not available, you can cut the border fence or concertina wire to facilitate the ingress of the migrants to properly intake the subjects.

- If agents, migrants, or anyone are in distress or having a medical emergency, take action needed to get through the border fence and concertina wire to provide immediate first aid.
- Anytime we are required to cut the fence, notify a supervisor so they can make proper notifications.
- Continue to remain professional and courteous when dealing with other agencies. Notify a supervisor if you believe a misunderstanding is taking place between you and another Law Enforcement Agency while conducting your duties.

Texas DPS and partners are aware that we have an obligation to respond and take subjects into our custody. Once subjects are in our custody, we are not to turn them over to any other agency.

Bolt cutters and other tools are located inside the trailer at the 1430 if the need arises to cut the fence.

Message

**From:** CAVAZOS, GEORGE [REDACTED]  
**Sent:** 8/16/2023 11:55:18 AM  
**To:** [REDACTED]  
**CC:** DONALDSON, MICKY D [REDACTED]  
**Subject:** RE: DPS Debrief

Thank You [REDACTED] Excellent work.

**From:** [REDACTED]  
**Sent:** Tuesday, August 15, 2023 6:13 PM  
**To:** CAVAZOS, GEORGE [REDACTED]  
**Subject:** DPS Debrief

Sir,

The debrief took about an hour and a half from start to finish, it was mostly DPS advising the oncoming supervisors what they need to cover for their respective subordinates. [REDACTED] started off with what you had mentioned in regard to the Criminal Trespassing charge, he stated they are trying to get the authorization back. They were having a meeting with the commissioner in regard to regaining that capability. Some other information covered:

- They are also trying to harp on educating the UDA's about not crossing illegally and instead attempting to claim asylum at the Port of Entry.
- Drones:
  - There to assist with big groups being seen gathering on the Mexican with enough time to contact GOM to disperse the group.
  - Working with GOM to catch subjects with weapons and/or assist with the sexual assault allegations UDAs are making after making entry.
- C-Wire/Connex boxes:
  - The city of Eagle Pass is asking them to remove the c-wire and conex boxes because they are aesthetically unpleasant. DPS is having discussions to try to replace with something more aesthetically pleasing that has the same effect as c-wire.
  - UDAs that breach the c-wire to the non-riverside are to NOT be sent back over the c-wire again to try to make them turn back to Mexico. They will take custody of the subject's once they cross the c-wire and turn over to Border Patrol as they see fit.
  - A question was asked about funnel points for Family Units to go through the C-Wire once they've made landfall, educated, and they don't want to return to Mexico. DPS advised they can cut the C-Wire for safety purposes, instead of making them walk to funnel points and get exhausted in this heat. They just need to advise their command about the C-wire being cut and the location.
  - DPS will always have 1 medic on days, 1 medic on nights, in case anyone does get injured or need medical assistance. They were advised it is a humanitarian effort as well as them preventing/educating the correct way to make entry into the United States.
- Trash:
  - They have stated they have been in the works with the Sheriff's Office to get inmates to assist in the cleaning of the area, as feasible. They also requested for BP to gather the trash in one central pile for the contractors to be able to go and sweep all the trash in one go.
- Border Patrol:
  - They are to be respectful & professional with us and if any of them give us issues, to bring it up to them.
  - Border Patrol PAIC and Chief have advised their subordinates of not going to the Shelby Boat ramp or their operations unless called by them and if we have 911 calls in that area. 911 calls will supersede that guidance.

- They are requiring a picture of the groups they encounter, in case any of the subjects will be prosecuted. They know who arrested them and try to get the video footage to assist us in those prosecutions. They were advised the information of whether they saw them crossing, where they crossed is crucial for the successful prosecution of the subjects.
- They brought up the 17-year-old that was separated and charged with criminal mischief a couple of days ago. I did advise them that in our eyes; they are juveniles and are still part of a family unit. If the situation would happen again, we would appreciate the information on the subject that was separated from the family prior to us arriving for our reporting requirements.
- Charges:
  - They have set boundaries of where they can charge a subject with Criminal Trespassing and are labeled along the river drag for awareness.
  - If they encounter subjects that become assaultive or see them break any other state law that they can be charged with, they will if it does not interfere with family separations.
- Shelby Boat Ramp:
  - Shelby is open back to the public, there will no longer be any security points and to be aware of their surroundings.

Respectfully,

[REDACTED]

Supervisory Border Patrol Agent

Eagle Pass

O: (830) [REDACTED]

G: (830) [REDACTED]

"I've learned that people will forget what you said, people will forget what you did, but people will never forget how you made them feel." ---Maya Angelou

Defs' Exhibit 5

Message

---

**From:** [REDACTED]  
**Sent:** 9/27/2023 4:26:38 PM  
**To:** EGT-Supervisors [REDACTED]  
**Subject:** Notifications for Cutting of C-Wire

All,

When the C-wire is cut anywhere along the river for whatever reason, have the duty supervisor email :

[REDACTED]

Send the following information:

Wire Cut

Location: (GPS Coordinates and description)

Time:

Defs' Exhibit 6

## Message

**From:** [Redacted]  
**Sent:** 5/21/2023 6:18:02 PM  
**To:** MORENO, MILTON [Redacted] DRT-FOB STAFF [Redacted]  
**CC:** DRT OPS DIV [Redacted]  
**Subject:** Re: IIR - FAMUs Stranded at POE 2

T4, request will be made [Redacted]

VR.

Sent via the Samsung Galaxy S20 FE 5G, an AT&T 5G smartphone  
 Get [Outlook for Android](#)

---

**From:** MORENO, MILTON [Redacted]  
**Sent:** Sunday, May 21, 2023 1:14:22 PM  
**To:** DRT-FOB STAFF [Redacted]  
**Cc:** DRT OPS DIV [Redacted]  
**Subject:** Fwd: IIR - FAMUs Stranded at POE 2

FOB,

[Redacted]  
 Urbinas. DPS was already working on clearing the C-wire in that area.

Thanks,

**Milton Moreno**

*Division Chief*

*Law Enforcement Operations*

*Del Rio Sector*

O [Redacted] [Redacted]

---

**From:** DONALDSON, MICKY D [Redacted]

**Sent:** Sunday, May 21, 2023 11:23 AM

**To:** MORENO, MILTON [Redacted] [Redacted]  
 [Redacted]

**Cc:** CAVAZOS, GEORGE [Redacted]

**Subject:** Fwd: IIR - FAMUs Stranded at POE 2

Synopsis of this mornings encounter.

V/r,

Micky

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---

**From:** CAVAZOS, GEORGE [Redacted]  
**Sent:** Sunday, May 21, 2023 11:18:31 AM

Defs' Exhibit 6

To: EGT-Supervisors [REDACTED]

Subject: IIR - FAMUs Stranded at POE 2

**BLUF** – Several FAMUs made landfall beneath POE 2. Due to placement of numerous strands of “C” wire along the waters edge, the family units remained stranded in the water. EGT Agents responded and made contact with the FAMUs. Agents were unable to take the subjects into custody as the placement of the “C” Wire was impeding the Agents ability to perform their duties.

Date: 5/21/2023

Time: 0930 hours

Location: POE 2

**Additional Information:**

- SBPA [REDACTED] requested and was granted authorization to cut the “C” wire to take the FAMUs into custody safely.
- BOAT Unit is unable to deploy due to inclement weather.
- FAMU were stranded in the river under rainy conditions and swift water currents putting their lives and safety in jeopardy.
- Due to consistent rainfall and muddy conditions agents are unable to traverse the drag roads in the down river area of POE 2.
- Agents moved the FAMU approximately ½ mile down river of POE 2 where they were able to take them into custody safely.
- Subjects were taken into custody approximately 45 minutes after detection.
- During the movement several subjects within the group were losing their footings and risked falling into river due to muddy conditions.
- Agents did not have to cut the “C” Wire at this time and were able to navigate the group through the “C” Wire downriver of POE 2
- SBPA [REDACTED] advised DPS Trooper Grishman (trooper in charge at the scene) of the actions being taken.
- No assistance from TXNG or DPS at the scene was received nor was none offered.
- SBPA on the scene does not have the necessary equipment to safely cut and move the “C” Wire in the event an emergency situation were to occur.
- All subjects were identified, assessed at the scene and transported to the respective processing facilities.

**Notifications:**

DPAIC Cavazos

PAIC Donaldson

**Breakdown:**

Total Number of [REDACTED] subjects

## Nationality Breakdown:

Honduras: [REDACTED]

Colombia: [REDACTED]

## Demographic Breakdown:

Single adult males: [REDACTED]

Single adult females: [REDACTED]

family units: [REDACTED]



Defs' Exhibit 6  
[REDACTED]  
[REDACTED]

Nothing further.

***GEORGE CAVAZOS***

*Deputy Patrol Agent in Charge*

*Eagle Pass Station*

*Eagle Pass, TX*

O [REDACTED]

C [REDACTED]

Defs' Exhibit 7



**U.S. Customs and Border Protection  
United States Border Patrol  
Del Rio Sector**

**TXDPS Impacts in DRT/EGT**

**Briefing Topic:**

Del Rio Sector (DRT) has identified items of concern regarding the deployment of personal and infrastructure by the Texas Department of Public Safety (TXDPS) within the Eagle Pass Stations' (EGT) Area of Responsibility (AOR). These actions have been implemented by TXDPS to deter illegal entries along the Rio Grande River in EGT's zone 18, but they have also negatively impacted border patrol operations.

**Current State:**

TXDPS has deployed in force to DRT's AOR, and they have implemented various initiatives to deter illegal immigration, including the installation of a floating river barrier, pedestrian barrier infrastructure, and legal consequences applied to migrants. This has resulted in a decrease in border patrol mobility in the area, an increased safety risk to agents and migrants, and complications with reuniting families separated by TXDPS.

**Background:**

DRT continues to experience a significant amount of illegal border crossings with over [REDACTED] encounters for fiscal year to date 2023. EGT is the busiest station in DRT with over [REDACTED] apprehensions, with [REDACTED] apprehensions in EGT zone 18.

On June 7, 2023, TXDPS began land clearing along the Rio Grande River in EGT's zone 18 and by June 26<sup>th</sup> concertina wire was deployed against the riverbanks along with earthen barriers blocking access to gates that grant border patrol access to the area.

On June 27<sup>th</sup> increased migrant heat related injuries started occurring due to these barriers. The fencing, concertina wire and blocked gates has significantly increased the time in the field for migrants, from encounter to transport.

On July 3<sup>rd</sup> TXDPS family separations began. When TXDPS encounters migrants illegally crossing the border their guidelines call for the prosecution of adult males for criminal trespassing. TXDPS takes custody of the adult males and transfer the remaining migrants to border patrol custody, primarily women and children. This has resulted in multiple TXDPS family separations with unsuccessful reunification.

On July 10<sup>th</sup> installation of the floating barrier began with 1000 ft. completed. The floating barriers have limited the maneuverability of DRT's marine vessels along with their capabilities to assist individuals in distress on either side of the barrier.

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CBPTX2355-0002529

**Challenges:**

- Fencing, concertina wire, and strategically located earthen barricades restrict efficient access for agents to the river area, decreasing operational effectiveness and increasing safety risks for agents and migrants.
- DRT personnel redirected to provide hospital watch for migrants that have been injured by the concertina wire along with heat related injuries due to prolonged exposure to the elements.
- The floating river barriers limit marine vessel mobility and negatively impacts their operational effectiveness for enforcement and/or rescues.
- Limited staffing and resources available to dedicate for family reunification efforts which require intensive coordination, to include transporting migrants to other border patrol sectors where family members are being held.
- [REDACTED]

**Recommendation:**

DRT Leadership continues to meet with TXDPS leadership to address local concerns and DRT encourages United States Border Patrol Higher Headquarters engagement with TXDPS to further develop a shared vision of border security.

Defs' Exhibit 8

## Message

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**From:** DONALDSON, MICKY D [REDACTED]  
**Sent:** 7/2/2023 12:14:43 PM  
**To:** [REDACTED] EGT-Supervisors [REDACTED] EGT-PAIC/DPAIC [REDACTED]  
**Subject:** Re: IIR: Wire cut in local down

Copy, thanks [REDACTED]

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---

**From:** [REDACTED]  
**Sent:** Sunday, July 2, 2023 7:12:45 AM  
**To:** EGT-Supervisors [REDACTED] EGT-PAIC/DPAIC [REDACTED]  
**Subject:** IIR: Wire cut in local down

At approx 0330 , TX NG notified the camera room and agents at the [REDACTED] that they had families on the riverside of the wire near the [REDACTED] area and the river was rising endangering the subjects. WC [REDACTED] and midnight agents responded to the area and after clearing it with DPS proceeded to cut the wire and bring the family groups up. They were walked to the [REDACTED] area and processed without incident.

GPS coords of cut: 28.59327 -100.50953

[REDACTED]  
Acting Watch Commander  
Eagle Pass North Station EGT/DRT  
[REDACTED]

Defs' Exhibit 9

## Message

**From:** CAVAZOS, GEORGE [REDACTED]  
**Sent:** 10/26/2023 3:51:02 PM  
**To:** DONALDSON, MICKY D [REDACTED]  
**Subject:** FW: DPS posture at 1430 and site enhancements

---

**From:** [REDACTED] Redacted  
**Sent:** Friday, June 23, 2023 10:38 PM  
**To:** EGT-Supervisors [REDACTED]  
**Subject:** DPS posture at 1430 and site enhancements

Good evening,

DPS has added C-wire at the 1430 and has locked the gate to the landing. They have also added C-wire in the river, added dirt to the river to allow DPS vehicles to cross onto the island and have added manpower at the river and on the island near the 1430 attempting to dissuade UDM traffic at the 1430.

UDM traffic has recently started to bypass the 1430 landing and continue down river to the Heavenly Farms (previously known as the Leonard's Orchards) and attempted to cross the chain link fence at the EGS 2011 gate. The group of 77 UDMs were exhausted and at least 2 subjects showed signs of heat exhaustion so the lock on the gate was cut, and they were treated by EMTs. One of the subjects was taken to the 1430 site, both coolers with ice were dumped into the dunk tank and the subject used the tank to quickly lower her body temperature to normal (both ice coolers were refilled with ice for future use).

If the need arises to cut the chain link fence or the C-wire to assist UDMs in medical distress, create an IIR and send it to EGT-Watch Commander email distro. Bolt cutters and wire cutters have been added to the trailer at the 1430.

When supplies are removed from the storage trailer at the 1430 and moved into the trailer, please notify SBPA Lenoir and his team so they can replace the supplies before they run out. Eye wash stations, another shade tent and DOD presence has been added to the 1430.

Please remind the agents to avoid altercations with other agencies and to communicate when subjects are in medical distress so the appropriate actions can be taken to assist them. Have a good day and be safe.

**Luis E. Lozada**  
**Watch Commander**  
**Eagle Pass Station**  
**Cell phone:** [REDACTED]

Defs' Exhibit 10

Message

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**From:** [REDACTED]  
**Sent:** 10/29/2023 2:38:59 AM  
**To:** E [REDACTED] o [REDACTED]@dps.texas.gov [REDACTED]  
**CC:** EGT-Supervisors [REDACTED]  
**Subject:** C-Wire cut

Cords  
28.667870  
-100.501238

[REDACTED]  
Supervisory Border Patrol Agent  
Eagle Pass Station (EGT)  
W: [REDACTED]  
C: [REDACTED]



Defs' Exhibit 11

Message

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**From:** [REDACTED]  
**Sent:** 9/30/2023 7:58:19 PM  
**To:** E [REDACTED]@dps.texas.gov  
**CC:** EGT-Supervisors [REDACTED]  
**Subject:** Cut Wire for Deceased Person 9/30

Good afternoon,

USBP cut the wire in order for Mavrick County Sheriff's Office and Texas DPS to retrieve a deceased body.

Time of the cut was 1330 hours, and the location was 28.685668, -100.508696.

Thanks,

[REDACTED]  
Watch Commander

DRT | EGT

Office: [REDACTED]

Mobile: [REDACTED]

Defs' Exhibit 12

Message

**From:** [REDACTED]  
**Sent:** 10/2/2023 8:05:14 PM  
**To:** E [REDACTED]@dps.texas.gov  
**CC:** EGT-Supervisors [REDACTED]  
**Subject:** Cut Wire 10/2

TIME: 1500

LOCATION: 28.696259, -100.509653

---

**From:** [REDACTED]  
**Sent:** Monday, October 2, 2023 11:29 AM  
**To:** E [REDACTED]@dps.texas.gov <Eric.ortiz@dps.texas.gov>  
**Cc:** EGT-Supervisors [REDACTED]  
**Subject:** Cut Wire 10/2

Good morning,

The wire was cut for a group which included small children. Time of cut was 1115 hours.

Location:

Latitude: 28.710475

Longitude: -100.463444

Thanks,

[REDACTED]  
Watch Commander

DRT | EGT

Office: [REDACTED]

Mobile: [REDACTED]

Defs' Exhibit 13

Message

---

**From:** [REDACTED]  
**Sent:** 10/4/2023 9:31:32 PM  
**To:** e[REDACTED]o[REDACTED]@dps.texas.gov  
**CC:** EGT-Supervisors [REDACTED]  
**Subject:** C- wire cut  
**Attachments:** 1000004047.jpg

C-Wire was cut at 1615 HRS to free a mother and 2 kids.

28.694167  
-100.510052

[REDACTED]  
SBPA | EGT

Defs' Exhibit 14

## Message

**From:** BERNAL, JUAN [REDACTED]  
**Sent:** 5/21/2023 6:06:39 PM  
**To:** OWENS, JASON D [REDACTED]  
**Subject:** Fwd: IIR - FAMUs Stranded at POE 2

It shouldn't take much for family units you cross a little ways down at Urbinas like they did not too long ago. Not sure why they are choosing poe 2... but we will start looking into it and raking appropriate actions

Sent via the Samsung Galaxy S20 FE 5G, an AT&T 5G smartphone  
[Get Outlook for Android](#)

---

**From:** BERNAL, JUAN [REDACTED]  
**Sent:** Sunday, May 21, 2023, 1:04 PM  
**To:** MORENO, MILTON [REDACTED] ESCAJEDA, CESAR [REDACTED]  
**Subject:** Re: IIR - FAMUs Stranded at POE 2

Sent via the Samsung Galaxy S20 FE 5G, an AT&T 5G smartphone  
[Get Outlook for Android](#)

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**From:** BERNAL, JUAN [REDACTED]  
**Sent:** Sunday, May 21, 2023 1:01:48 PM  
**To:** MORENO, MILTON [REDACTED]; ESCAJEDA, CESAR [REDACTED]  
**Subject:** Re: IIR - FAMUs Stranded at POE 2

[REDACTED] It is better for migrants and for us and I believe DPS already took out the c wire in that area.

Sent via the Samsung Galaxy S20 FE 5G, an AT&T 5G smartphone  
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---

**From:** MORENO, MILTON <[REDACTED]>  
**Sent:** Sunday, May 21, 2023 12:07:26 PM  
**To:** BERNAL, JUAN [REDACTED] ESCAJEDA, CESAR [REDACTED]  
**Subject:** Fwd: IIR - FAMUs Stranded at POE 2

Deputy,

DPS becoming an obstacle as opposed to assisting at EGT POE2.

**BLUF** – Several FAMUs made landfall beneath POE 2. Due to placement of numerous strands of “C” wire along the waters edge, the family units remained stranded in the water until agents were able to guide and clear a passage.

Pics attached and more details below.

Thanks,

**Milton Moreno***Division Chief**Law Enforcement Operations**Del Rio Sector***From:** DONALDSON, MICKY D <[REDACTED]>**Sent:** Sunday, May 21, 2023 11:23 AM**To:** MORENO, MILTON [REDACTED]**Cc:** CAVAZOS, GEORGE [REDACTED]**Subject:** Fwd: IIR - FAMUs Stranded at POE 2

Synopsis of this mornings encounter.

V/r,

Micky

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**From:** CAVAZOS, GEORGE [REDACTED]**Sent:** Sunday, May 21, 2023 11:18:31 AM**To:** EGT-Supervisors [REDACTED]**Subject:** IIR - FAMUs Stranded at POE 2

**BLUF** – Several FAMUs made landfall beneath POE 2. Due to placement of numerous strands of “C” wire along the waters edge, the family units remained stranded in the water. EGT Agents responded and made contact with the FAMUs. Agents were unable to take the subjects into custody as the placement of the “C” Wire was impeding the Agents ability to perform their duties.

Date: 5/21/2023

Time: 0930 hours

Location: POE 2

**Additional Information:**

- SBPA Fuentes requested and was granted authorization to cut the “C” wire to take the FAMUs into custody safely.
- BOAT Unit is unable to deploy due to inclement weather.
- FAMU were stranded in the river under rainy conditions and swift water currents putting their lives and safety in jeopardy.
- Due to consistent rainfall and muddy conditions agents are unable to traverse the drag roads in the down river area of POE 2.
- Agents moved the FAMU approximately ½ mile down river of POE 2 where they were able to take them into custody safely.
- Subjects were taken into custody approximately 45 minutes after detection.
- During the movement several subjects within the group were losing their footings and risked falling into river due to muddy conditions.

Defs' Exhibit 14

- Agents did not have to cut the "C" Wire at this time and were able to navigate the group through the "C" Wire downriver of POE 2
  - SBPA Fuentes advised DPS Trooper Grishman (trooper in charge at the scene) of the actions being taken.
  - No assistance from TXNG or DPS at the scene was received nor was none offered.
  - SBPA on the scene does not have the necessary equipment to safely cut and move the "C" Wire in the event an emergency situation were to occur.
- All subjects were identified, assessed at the scene and transported to the respective processing facilities.

**Notifications:**

DPAIC Cavazos

PAIC Donaldson

**Breakdown:**

Total Number of [REDACTED] subjects

Nationality Breakdown:

Honduras: [REDACTED]

Colombia: [REDACTED]

Demographic Breakdown:

Single adult males: [REDACTED]

Single adult females: [REDACTED]

family units: [REDACTED]

[REDACTED]

**Nothing further.**

***GEORGE CAVAZOS***

*Deputy Patrol Agent in Charge*

*Eagle Pass Station*

*Eagle Pass, TX*

O [REDACTED]

C [REDACTED]



Defs' Exhibit 15

## Message

**From:** [REDACTED]  
**Sent:** 7/4/2023 7:39:35 PM  
**To:** EGT-PAIC/DPAIC [REDACTED]  
**CC:** [REDACTED]  
**Subject:** [REDACTED] Update  
**Attachments:** S1000305.JPG; S1000313.JPG; S1000319.JPG; 20230704\_111713.jpg; 20230704\_114401.jpg

Images from todays encounter.

Gates at the [REDACTED] were open when we arrived and encountered a group at the [REDACTED] tent waiting with DOD. As we began speaking with the subjects at the tent to intake them, TNG began closing up the gates and piling dirt with a bull-dozer. During the intake process the subjects stated there were more people down there but were not visible to us at the time. They also stated a child was separated from her parents by TNG.

I launched the drone and spotted a group in between the non-river side of the concertina wire and the Texas chain link fence. I made contact with TNG and advised them that I needed to bring those subjects up to the tents as they have already made illegal entry and we are obligated by law to apprehend them. We asked if they could remove the dirt and open the gate. That's when the situation escalated. We began to cut the fence and c-wire to safely move the subjects to the [REDACTED] tent. As we did so, more subjects emerged from the river side and crossed the c-wire.

A total of 92 subjects were apprehended.

Right before we left, TNG had barricaded both gates inside the property with dirt and c-wire. I will reassess tomorrow morning.

Please see attached images and video footage.

 [Access Denial.MP4](#)

Thank you.

[REDACTED]  
**SUPERVISORY BORDER PATROL AGENT (ADMIN)**  
**SUAS/CUAS COORDINATOR**  
**EAGLE PASS**  
**DEL RIO SECTOR**  
**TAK:** [REDACTED]  
**CELL:** [REDACTED]  
**OFFICE:** [REDACTED]



Defs' Exhibit 16

## Message

**From:** DONALDSON, MICKY D [MICKY.D.DONALDSON@CBP.DHS.GOV]  
**Sent:** 6/30/2023 4:47:53 PM  
**To:** MORENO, MILTON [REDACTED]; [REDACTED]  
**CC:** CAVAZOS, GEORGE [REDACTED]  
**Subject:** Fwd: IIR: 1430 fence situation June 30

Good afternoon,

Please see below regarding DPS threatening an EGT Border Patrol Agent of being arrested for cutting the fence to take migrants into custody that were on our side.

Not lined out below is that a State drone took footage of the agent cutting the fence and when the Trooper made the threat to the agent he called him out by his name.

Furthermore, DPS has deployed additional c-wire along the fence line to impede our ability to get to groups along the river.

We also received permission from the landowner to cut the fence.

I also reported the incident to Lt. Olivares with DPS and he is addressing it on his end.

Agent will complete a memo to document the incident.

I will keep you updated.

V/r,

Micky

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---

**From:** [REDACTED]  
**Sent:** Friday, June 30, 2023 11:33 AM  
**To:** EGT-Supervisors [REDACTED]  
**Subject:** IIR: 1430 fence situation June 30

On June 30, 2023, BPA Agents in the local down area of Eagle Pass responded to several UMC's on the river side for the Texas DPS fence near the 1430 area. BPA Agents needed to cut open the pre-existing hole in the fence at the 1430 in order to recover the UMC's. A short time later, at approximately 1115 hrs, Agents in local down advised a DPS officer drove up to their location and stated that if they ever cut his fence again, he would charge them with criminal mischief. Agents advised the DPS Officer was driving in a 4x4 side by side UTV and was accompanied by a Texas National Guardsman. Agents further advised the DPS Trooper did not provide them with his name and drove off before they could identify him. Agents advised the DPS Trooper was wearing a special operations uniform, and was wearing a neck gator covering his mouth/nose and goggles.

Respectfully,

Defs' Exhibit 16

[REDACTED]  
Supervisory Border Patrol Agent

Eagle Pass Station

G-phone: [REDACTED]

Office: [REDACTED]

Defs' Exhibit 17

## Message

---

**From:** [REDACTED]  
**Sent:** 6/25/2023 4:41:43 PM  
**To:** DRT OPS DIV [REDACTED]  
**CC:** INOCENCIO, GERARDO [REDACTED] TREVINO-JR, MARIO [REDACTED]  
**Subject:** EGS: TXNG C-wire Expansion

Good morning,

For awareness, TXNG continues to set up C-wire and shut off gates downriver of the 1430 area. Per agents in the field, TXNG has shut down all the gates along the river in the Heavenly Farms Orchard area and are moving into the Rosetta Orchard area. They should have the 2030 area shut off by the end of today.

We haven't seen the groups like yesterday, but we are starting to see heat-related issues with parents carrying infants and smaller children, due to the long walk from the 1427/1430 area to the 2030 area, about 3/4 of a mile.

There was also a DPS Trooper who warned our DOD LP/OP at the 2006 that anyone caught cutting the locks would be arrested. I'm not sure that was meant for USBP, but something to be aware of.

Thank you.

[REDACTED]  
[REDACTED] Cell

Sent via the Samsung Galaxy S20 FE 5G, an AT&T 5G smartphone  
Get [Outlook for Android](#)

Defs' Exhibit 18

## Message

**From:** BARRETT, JOSH B [REDACTED]  
**Sent:** 7/3/2023 9:32:34 PM  
**To:** [REDACTED]  
**CC:** [REDACTED] BP.DHS.GOV]; [REDACTED]  
 [REDACTED] MORENO, MILTON [REDACTED]  
**Subject:** Re: Heavenly Farms owner encounter

[REDACTED],

Thank you for the info and solid coordination with the landowner.

[REDACTED]  
 [REDACTED] Cell

---

**From:** [REDACTED]  
**Sent:** Monday, July 3, 2023 4:23:37 PM  
**To:** [REDACTED]  
**Cc:** DONALDSON, MICKY D [REDACTED]  
 [REDACTED] MORENO, MILTON [REDACTED]  
**Subject:** RE: Heavenly Farms owner encounter

Gents - FYSA,

**BLUF:** Mr. Urbina has removed the C-Wire and dirt blockades from the 1430 Gate and the gate across from the Main Entrance along the river chain link fence.

At approximately 1400 hours I was contacted by Mr. [REDACTED] and he requested to meet with me at the 1430 gate. Upon arrival, Mr. [REDACTED] was extremely upset of the state's placement of C-Wire and dirt blockades at the 1430 Gate and the gate at the end of the Main Road. He further stated that he specifically told the State to not place C-Wire on his property and to not block the gates. He stated that the State placed all of this without his permission and without his knowledge. He stated he would get a tractor and remove the C-Wire and dirt blockades from those areas to which he did, concluding at approximately 1615 hours. (See before and after photos)

I advised him those issues were between the Property Owner (himself) and the State.

No DPS were present during the removal, however TXNG were staged 25 yards on the upriver side (Mr. Benavides Property) of the 1430 fence line. DPS Airboats were deployed and made several passes during the removal process.

Nothing further.

Thanks,

[REDACTED]  
*Deputy Patrol Agent in Charge*  
*Eagle Pass Station*  
*Eagle Pass, TX*  
 O [REDACTED]  
 C [REDACTED]

---

**From:** [REDACTED]  
**Sent:** Saturday, July 1, 2023 8:33 PM  
**To:** [REDACTED]  
**Cc:** [REDACTED] MORENO, MILTON  
[REDACTED]@cbp.dhs.gov>; [REDACTED]  
**Subject:** Fwd: Heavenly Farms owner encounter

Gents,

For awareness, see below encounter with the owner of Heavenly Farms, Mr. [REDACTED], by EGS Agents. He was directed to contact DPS directly regarding the placement of C Wire on his property with out his permission or knowledge.

Thanks

[REDACTED]  
DPAIC – EGT  
Cell [REDACTED]

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---

**From:** [REDACTED]  
**Sent:** Saturday, July 1, 2023 8:25:38 PM  
**To:** [REDACTED]  
[REDACTED]  
**Cc:** [REDACTED]  
[REDACTED]  
**Subject:** Fwd: Heavenly Farms owner encounter

Gents,

For awareness.

Thank you.

[REDACTED]  
[REDACTED] Cell

Sent via the Samsung Galaxy S20 FE 5G, an AT&T 5G smartphone  
Get [Outlook for Android](#)

---

**From:** [REDACTED]  
**Sent:** Saturday, July 1, 2023 7:41:13 PM  
**To:** EGS Supervisors [REDACTED]  
**Subject:** Heavenly Farms owner encounter

On today's date, Agents who were responding to traffic at the Heavenly Farms, encountered the Owner, Mr. [REDACTED], who was rather irate and requested to speak to BP management. Mr. [REDACTED] was upset with DPS for



Defs' Exhibit 18

all the concertina wiring that was installed while he was away and done without his authorization. Concerning to him was from a humanitarian standpoint and that the migrant subjects were risking injury with the C-wire and BP's inability to assist them in an emergency such as the one being shown on social media.

DPS officers on-duty put Mr. [REDACTED] in contact with their command staff, who shortly thereafter, allowed DPS personnel to set aside some of the C-wire, allowing the aliens to enter through the gate. At that time, there were approximately 10 already on this side of the fence and approximately 20 on the other side of the fence. All subjects were transported by USBP to Firefly.

[REDACTED]  
Supervisory Border Patrol Agent  
Eagle Pass South Station

[REDACTED] ext. 3349  
[REDACTED]

Defs' Exhibit 19

## Message

**From:** [REDACTED]  
**Sent:** 7/4/2023 10:00:46 PM  
**To:** [REDACTED] EGT-PAIC/DPAIC [REDACTED]  
**CC:** [REDACTED]  
**Subject:** Re: [REDACTED] Update

## Update 1:

The side gate leading upriver was not blocked off and was actually left open through at least 1630 hours, with DPS and TXNG continuing to use it throughout the day. A pile of additional dirt still remained near the gate, however.

## Update 2:

At approximately 1330, Ben Bergquam from Real America's Voice (media) came by and said he had permission from the [REDACTED] to film on their property and used their full names to sound official. I told him that if he actually had the permission from the landowners, he still had to stay at the orchards. I contacted DPAIC [REDACTED] to advise him of the media, who contacted [REDACTED] who then told the guy to keep off his property and that he didn't have permission to film there.

## Update 3:

At approximately 1500, [REDACTED] showed up, and while he was friendly and talkative, he was MAD about the gate being blocked up again. He asked if we could do anything to stop them from doing that, as he bulldozed it yesterday and does not want it there, and said that if Banks, DPS Command, or TXNG Command are ever there, he wants us to call him immediately so he can come down. He also wished that we could just kick them off.

He had requested some TXNG Command to come down, but two junior soldiers were sent to meet him instead. [REDACTED] had them contact their commander, who told [REDACTED] it was at the command of DPS. [REDACTED] attempted to call the DPS commander, but he did not answer.

He stated that he will be having media at his site Thursday and/or Friday and will then be heading to Austin to try to fight further.

## Update 4:

There are some DPS EMTs that are required to patrol the area, and they brought 6 bodies up from the bank. Apparently, they had been sitting there for a few hours near a couple soldiers posted up who didn't do anything. The EMTs stated that they are getting hated on because they have been using their "medic card" to bring bodies up, especially if there are young kids sitting out in the sun, and if they notice anything, they will continue to bring us bodies under their role as medical first responders.

Thank you,

[REDACTED]

Defs' Exhibit 19

Supervisory Border Patrol Agent

Station Planning Team

Eagle Pass Station

O: [REDACTED]

C: [REDACTED]

---

**From:** [REDACTED]  
**Sent:** Tuesday, July 4, 2023 2:39 PM  
**To:** EGT-PAIC/DPAIC [REDACTED]  
**Cc:** [REDACTED]  
**Subject:** [REDACTED] Update

Images from today's encounter.

Gates at the [REDACTED] were open when we arrived and encountered a group at the [REDACTED] tent waiting with DOD. As we began speaking with the subjects at the tent to intake them, TNG began closing up the gates and piling dirt with a bull-dozer. During the intake process the subjects stated there were more people down there but were not visible to us at the time. They also stated a child was separated from her parents by TNG.

I launched the drone and spotted a group in between the non-river side of the concertina wire and the Texas chain link fence. I made contact with TNG and advised them that I needed to bring those subjects up to the tents as they have already made illegal entry and we are obligated by law to apprehend them. We asked if they could remove the dirt and open the gate. That's when the situation escalated. We began to cut the fence and c-wire to safely move the subjects to the [REDACTED] tent. As we did so, more subjects emerged from the river side and crossed the c-wire.

A total of 92 subjects were apprehended.

Right before we left, TNG had barricaded both gates inside the property with dirt and c-wire. I will reassess tomorrow morning.

Please see attached images and video footage.

 [Access Denial.MP4](#)

Thank you.

[REDACTED]  
**SUPERVISORY BORDER PATROL AGENT (ADMIN)**  
**SUAS/CUAS COORDINATOR**  
**EAGLE PASS**  
**DEL RIO SECTOR**  
**TAK:** [REDACTED]  
**CELL:** [REDACTED]  
**OFFICE:** [REDACTED]

Defs' Exhibit 19



Defs' Exhibit 20

## Message

**From:** [REDACTED]  
**Sent:** 6/27/2023 9:36:59 PM  
**To:** [REDACTED]  
**CC:** MORENO, MILTON [REDACTED]  
**Subject:** RE: DRT/EGT - Deployment of concertina wire - TXDPS

Keep in mind that USBP is leasing the property from the landowner at [REDACTED] month in order for DRT to stand up and maintain the staging area that is now being hindered by the State. Didn't see that on the IP so just food for thought..

Juan "JT" Trevino, Jr.  
 Assistant Chief Patrol Agent  
 DRT Foreign Operations Branch  
 Del Rio Sector Headquarters  
 Desk: [REDACTED]  
 Mobile: [REDACTED]

---

**From:** [REDACTED]  
**Sent:** Tuesday, June 27, 2023 4:11 PM  
**To:** [REDACTED] OPS EAST SECTOR <OPS\_EAST\_[REDACTED]>  
**Cc:** DRT Command Staff [REDACTED] DRT OPS DIV [REDACTED] DRT-ICS <DRT-[REDACTED]>  
**Subject:** DRT/EGT - Deployment of concertina wire - TXDPS

OPS East,

BLUF: Attached for your awareness are two issue papers regarding the state's deployment of concertina wire in EGTs AOR and negative impacts on vulnerable populations / assets deployed to area.

### **Concertina Wire IP 1:**

The Texas Department of Public Safety (DPS) and the Texas National Guard (TNG) continue their efforts to secure the border in Eagle Pass, Texas within the Eagle Pass Station's (EGT) area of responsibility (AOR) (Zone 18). Currently, DPS and TNG are placing concertina in the river and alongside the river down through Eagle Pass South (EGS) AOR (Zone 19) to further deter illegal entries. This deployment posture has prevented DRT from moving migrants to our pre-designated staging area.

### **Staging Area IP 2:**

Eagle Pass Station (EGT) identified a staging area in preparation for mass migration events in its area of responsibility (AOR) (Zone 18). Currently, EGT has assets deployed to this area to mitigate the possibility of heat related injuries and to effectively move subjects to one of DRTs facilities for processing. However, the large groups apprehended over the weekend were away from this area and into Eagle Pass South Station's AOR.

[REDACTED]  
Executive Officer / Operations

Del Rio Sector

O: [REDACTED]

C: [REDACTED]



Defs' Exhibit 21

## Message

**From:** Evolving Situation Report [REDACTED]  
**Sent:** 7/24/2023 8:35:55 PM  
**To:** [REDACTED]  
**CC:** [REDACTED]  
**Subject:** [REDACTED]/EGT/Medical / Possible Media Interest/07-24-2023 (Update: 1)  
**Attachments:** IMG\_0117.JPG; IMG\_0303 (2).jpg; IMG\_0305.jpg  
**Importance:** High

## UPDATES:

	Date/Time	Update	Created By
1	07/24/2023 15:35	Update: PAIC Donaldson cut the State Property Fence / Border Fence (not concertina wire) due to the subject`s medical need. DPS and landowner were notified. EGT Ranch Liaison were notified and will be fixing the fence asap. SIR was generated: SIR Activity [REDACTED] Subject`s information: Name: [REDACTED] [REDACTED] DOB: [REDACTED] COB: [REDACTED] No further updates.	[REDACTED]

## Evolving Situation Report ([REDACTED])

**Medical / Possible Media Interest**

**Jul 24, 2023**

**GPS Coordinates:**

### SITUATION:

On July 24, 2023 at approximately 1345 hours [REDACTED] (1430 property owner) called Eagle Pass Station stating that there is a pregnant female trying to cross the wire around his property. [REDACTED] added that the subject look like she's having difficulty breathing, dehydration, and having labor pain. Subject is with her husband.

PAIC Donaldson, DPAIC Cavazos and 2 EMTs responded to the area. PAIC Donaldson cut the concertina wire due to the current medical need of the subject. Contact was made to DPS Command Center.

Media on site: CNN, Aztecs Media, Univision, 5 News RGV and others

Current heat index is 107.

Subject is enroute to FDRMC.

SWAP | ESR

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ESR- / LARGE GROUP 100+

September 20, 2023

For Official Use Only

**LARGE GROUP 100+****09/20/2023 09:19 AM****Tags:** SIR**Situation:**

On September 20, 2023, at approximately 0919 hours, EGT received information that a large group of subjects in Mexico were making their way to the Rio Grande River. EGT agents in the field were advised via service radio and responded to the local downriver area of Eagle Pass, TX (DRT Zone 18). EGT agents encountered a group of over 100 subjects, with additional subjects crossing the river. EGT has re-directed agents in the field to respond and assist. EGT and DRT Sector transport assets have been notified and all subjects will be escorted to the Eagle Pass, Texas Port of Entry #02 for field interview and transportation. UPDATES TO FOLLOW.

**Updates (13)**

	Date/Time	Update	Created By
1	09/20/2023 11:03	SOFT COUNT: APPROXIMATE [REDACTED] STILL CROSSING.	[REDACTED]
2	09/20/2023 11:37	SOFT COUNT: APPROXIMATE [REDACTED] STILL CROSSING.	
3	09/20/2023 11:50	SOFT COUNT: APPROXIMATE [REDACTED] STILL CROSSING.	
4	09/20/2023 12:11	FIRST EVENT:	

[REDACTED]  
[REDACTED]  
[REDACTED]

Total was [REDACTED] subjects

**NATIONALITY BREAKDOWN:**

Honduras: [REDACTED]  
Guatemala: [REDACTED]  
Ecuador: [REDACTED]  
Mexico: [REDACTED]  
Nicaragua: [REDACTED]  
Colombia: [REDACTED]  
Cuba: [REDACTED]  
Peru: [REDACTED]  
Venezuela: [REDACTED]

**DEMOGRAPHIC BREAKDOWN:**

[REDACTED] subjects in [REDACTED] Family Units  
- Unaccompanied Juveniles  
- Single Adult Males  
- Single Adult Females

Defs' Exhibit 22

5 09/20/2023 12:21 SIR Activity created: [REDACTED] UPDATES TO FOLLOW ON SIR. [REDACTED]

6 09/20/2023 12:49 SECOND EVENT: [REDACTED]

[REDACTED]  
[REDACTED]  
[REDACTED]  
  
Total was [REDACTED] subjects

## NATIONALITY BREAKDOWN:

Honduras: [REDACTED]

Guatemala: [REDACTED]

El Salvador: [REDACTED]

Ecuador: [REDACTED]

Colombia: [REDACTED]

Peru: [REDACTED]

Venezuela: [REDACTED]

## DEMOGRAPHIC BREAKDOWN:

[REDACTED] subjects in [REDACTED] Family Units

[REDACTED] Unaccompanied Juveniles

[REDACTED] - Single Adult Males

[REDACTED] Single Adult Females

7 09/20/2023 13:49 THIRD EVENT: [REDACTED]

[REDACTED]  
[REDACTED]  
[REDACTED]  
  
Total was [REDACTED] subjects

## NATIONALITY BREAKDOWN:

Honduras: [REDACTED]

Guatemala: [REDACTED]

Cuba: [REDACTED]

Ecuador: [REDACTED]

Colombia: [REDACTED]

Venezuela: [REDACTED]

## DEMOGRAPHIC BREAKDOWN:

[REDACTED] subjects in [REDACTED] Family Units

[REDACTED] Unaccompanied Juveniles

[REDACTED] - Single Adult Males

[REDACTED] Single Adult Females

8 09/20/2023 14:39 FOURTH EVENT: MOBILE INTAKE; STAND BY ON BREAKDOWN [REDACTED]

9 09/20/2023 14:41 FIFTH EVENT: [REDACTED]

[REDACTED]  
[REDACTED]  
[REDACTED]  
  
Total was [REDACTED] subjects

## NATIONALITY BREAKDOWN:

Honduras: [REDACTED]

Guatemala: [REDACTED]

Def's Exhibit 22

El Salvador:

Mexico:

Ecuador:

Colombia:

Nicaragua:

Venezuela:

## DEMOGRAPHIC BREAKDOWN:

[REDACTED] subjects in [REDACTED] Family Units

[REDACTED] Unaccompanied Juveniles

[REDACTED] - Single Adult Males

[REDACTED] - Single Adult Females

10 09/20/2023 18:39 [REDACTED] 2 [REDACTED] Total was [REDACTED]

[REDACTED] subjects.

Nationality Breakdown: [REDACTED] Columbia; [REDACTED] Peru; [REDACTED] Honduras; [REDACTED] Venezuela -

Demographics Breakdown: [REDACTED] Single Adult Males; [REDACTED] Single Adult Females;

[REDACTED] Subjects in 32 Separate Family Units

11 09/20/2023 18:58 [REDACTED] Total

was [REDACTED] subjects.

Nationality Breakdown: [REDACTED] Columbia; [REDACTED] Nicaragua; [REDACTED] Honduras; [REDACTED]

Guatemala; [REDACTED] Venezuela Demographics Breakdown: [REDACTED] Single Adult Males;

[REDACTED] Single Adult Females; [REDACTED] Subjects in [REDACTED] Separate Family Units; [REDACTED]

Unaccompanied Children

12 09/21/2023 21:25 UPDATED TOTAL ON e3 Event: [REDACTED]

[REDACTED] Total  
was 232 subjects.

Nationality Breakdown: [REDACTED] Columbia; [REDACTED] Honduras; [REDACTED] Mexico; [REDACTED] Ecuador; [REDACTED]

Venezuela Demographics Breakdown: [REDACTED] Single Adult Males; [REDACTED] Single Adult

Females; [REDACTED] Subjects in [REDACTED] Separate Family Units; [REDACTED] Unaccompanied

Children

13 09/21/2023 21:49 Total of [REDACTED] large groups = Grand total = [REDACTED]

No updates expected.

## Emails Sent

	Date/Time	Type	Email Distro	Created By
1	09/20/2023 07:49	Update	[REDACTED]	[REDACTED]
2	09/20/2023 07:25	Update	[REDACTED]	[REDACTED]
3	09/20/2023 04:58	Update	[REDACTED]	[REDACTED]
4	09/20/2023 04:39	Update	[REDACTED]	[REDACTED]
5	09/20/2023 12:41	Update	[REDACTED]	[REDACTED]

11/16/2023 05:11

CBPTX2355-0003203

Date/Time		Type	Email Distro	Created By
6	09/20/2023 12:39	Update		
7	09/20/2023 11:49	Update		
8	09/20/2023 10:49	Update		
9	09/20/2023 10:21	Update		
10	09/20/2023 10:11	Update		
11	09/20/2023 09:50	Update		
12	09/20/2023 09:37	Update		
13	09/20/2023 09:03	Update		
14	09/20/2023 07:53	Initial		

[REDACTED] / EMT Medical Intervention

November 11, 2023

For Official Use Only

**EMT Medical Intervention****11/11/2023 09:25 AM****Tags:** BIC | Death | Deceased | Emergency | EMT | Fire | Hospital | Remains | SIR**Situation:**

On November 11, 2023, at approximately 0920 hours, EGT BPA/EMT [REDACTED] and [REDACTED] assisted Department of Public Safety (DPS) Trooper rendering aid to an unconscious subject that was pulled under water. Drowning incident happened at Eagle Pass South Zone 19 area. EGT agents utilized an AED and were administering CPR but was unsuccessful in reviving the child. At approximately 0930, Emergency Medical Service unit 4 from Eagle Pass arrived at the Shelby Park Boat Ramp and transported the child to Fort Duncan Regional Medical Center.

Day shift Watch Commander was contacted by Department of Public Safety Sergeant John Messer, who inquired as to what the USBP would do with the mother who was still on the river side of the concertina wire. SGT. Messer was advised that since it was not an emergency at this time, the wire could not be cut and that it was up to DPS and the mother on what steps they would take next.

SGT. Messer further asked about what the course of action would be if they picked her up and took her to the boat ramp. He was advised that if we had custody of her, we would take her to the hospital and eventually process her accordingly, but that we did not have any control over what they decided to do.

**Updates (6)**

Date/Time	Update	Created By
1 11/11/2023 11:04	For clarification, BPA EMT utilized AED that belonged to DPS. DPS had the AED placed on the child while they were performing CPR.	[REDACTED]
2 11/11/2023 12:02	DRT BIC contacted OPR and HSI. OPR Special Agent [REDACTED] responded and made the initial contact to the Duty Supervisor.  HSI Special Agent [REDACTED] [REDACTED] contacted EGT Duty Supervisor asking for information of the child's mother. HSI Supervisory Special Agent [REDACTED] will be responding and will be heading to the Boat Ramp.	[REDACTED]
3 11/11/2023 12:04	At approximately 1100 hours, SIR 23-111-103111 was generated.	[REDACTED]
4 11/11/2023 12:38	For clarification, no alienage was determined, and BP never took custody of the child.	[REDACTED]
5 11/11/2023 15:00	At approximately 1200 hours, EGS reports to EGT WC that it appeared the group that crossed with the child are walking towards POE # 2 on the United States side of the concertina wire. It is unknown how the group crossed the	[REDACTED]



Defs' Exhibit 23

concertina wire, EGS reported that they had observed the group walking along the river trail on the Aerostat cameras that do not have PTZ capabilities.

At 1219 hours, HSI SA [REDACTED] and Day Shift WC contacted the group reported by EGS as they walked past the 1414 area. They began questioning them as to the identity of the mother, and while doing so, another mother claimed that two of her children were also swept away while crossing the river. EGT did not have any knowledge of these children also being swept away, nor where there any reports of additional children being located. The subject provided the following biographical information:

Son: [REDACTED], DOB: [REDACTED] 2017, COC: [REDACTED]  
(reported by mother to have been swept away)  
Daughter: [REDACTED], DOB: [REDACTED] 2020, COC: [REDACTED]  
(reported by mother to have been swept away)  
Mother: [REDACTED], DOB: [REDACTED] 2000, COC: [REDACTED]

After speaking with this mother, agents then finally located family of the child from the medical incident at the Shelby Park boat ramp and learned that she actually crossed with her grandparents and aunt, while her mother remained in Venezuela. Agents were able to confirm that the child was related by showing a picture to a friend of the family who also traveled with the group to the United States.

According to migrants on scene, the child's grandparents were also swept away and were thought to have been placed in an ambulance. However, subsequent follow up with the Texas DPS command post, EGS and the Eagle Pass Fire Department confirmed that no such subjects were transported. Agents also conducted record checks in available databases and were not able to locate any record of apprehension by USBP. At the time of this report, it is not known what happened to the child's grandparents. According to the child's aunt, biographical information for the family group are as follows:

Grandfather: [REDACTED], DOB: 1 [REDACTED]  
UNKOWN, COC: [REDACTED]  
Grandmother: [REDACTED], possible DOB: [REDACTED], COC: [REDACTED]  
Aunt: [REDACTED], DOB [REDACTED], COC: [REDACTED]

Deceased child's info: [REDACTED], DOB: [REDACTED] 2019,  
COC: [REDACTED]  
Mother's Info (remained in [REDACTED]): [REDACTED], DOB: UNKOWN, COC: UNKOWN

While speaking with the group, agents received a report that another migrant had also been swept away, by a someone who had that individual's wallet. Inside the wallet, agents were able to find an identification card from [REDACTED] bearing the name [REDACTED]. The group claimed that this subject was also transported to the hospital. The Eagle Pass Fire Department confirmed that a 17-year-old subject was transported to Fort Duncan Regional Hospital and had been revived. Agents are working on confirming if this was the same subject as listed on the identification card.

At approximately 1400 hours, SBPA [REDACTED] transported [REDACTED] and [REDACTED] to the Firefly Soft-Sided Processing Center to be interviewed by HSI.

Time of Death for the child, [REDACTED], was 0948 hours.

Emails Sent				
	Date/Time	Type	Email Distro	Created By
1	11/11/2023 02:05	Update	[REDACTED]	[REDACTED]
			[REDACTED]	[REDACTED]
			[REDACTED]	[REDACTED]
			[REDACTED]	[REDACTED]
2	11/11/2023 01:00	Update	[REDACTED]	[REDACTED]
			[REDACTED]	[REDACTED]
			[REDACTED]	[REDACTED]
			[REDACTED]	[REDACTED]
3	11/11/2023 10:38	Update	[REDACTED]	[REDACTED]
			[REDACTED]	[REDACTED]
			[REDACTED]	[REDACTED]
			[REDACTED]	[REDACTED]
4	11/11/2023 10:04	Update	[REDACTED]	[REDACTED]
			[REDACTED]	[REDACTED]
			[REDACTED]	[REDACTED]
			[REDACTED]	[REDACTED]
5	11/11/2023 10:02	Update	[REDACTED]	[REDACTED]
			[REDACTED]	[REDACTED]
			[REDACTED]	[REDACTED]
			[REDACTED]	[REDACTED]
6	11/11/2023 09:04	Update	[REDACTED]	[REDACTED]
			[REDACTED]	[REDACTED]
7	11/11/2023 08:23	Initial	[REDACTED]	[REDACTED]
			[REDACTED]	[REDACTED]

/ Texas National Guard / Possible Drowning

November 11, 2023

For Official Use Only

## Texas National Guard / Possible Drowning

11/11/2023 08:29 AM

**Tags:** Camera | Dead | Deceased | Distress | Emergency | Fire | Hospital | Lost

### Situation:

On November 11, 2023, at approximately 08:19 hours, Staff Sergeant Mckinney of the Texas National Guard notified ASBPA [REDACTED] of a large group crossing near Heavenly Farms in Eagle Pass South Zone 19, located in the western district of Texas. During the conversation, Staff Sergeant Mckinney also stated he saw multiple subjects get swept away with the Rio Grande River to include several children however, visual of the subjects was lost after they were pulled under the water. At this point in time Staff Sergeant Mckinney had not yet made contact with Department of Public Safety Marine unit or any other emergency services. Staff Sergeant Mckinney was advised to request assistance from the Department of Public Safety and that the EGS Marine unit was notified and would be in route to assist as soon as possible. After this phone call, the Eagle Pass South camera room notified the Eagle Pass Fire Department at 08:21 hours and provided the exact last location of the non-citizens in distress. Additionally, at this time SBPA [REDACTED] and [REDACTED] responded to the area to gain situational awareness and render aid as necessary.

At approximately 08:25 hours, SBPA [REDACTED] and [REDACTED] arrived on scene and began notifying the EGS camera room and any Agents from Eagle Pass South Station assigned to line operations of the group's location on both Mexican and United States side of the river and any additional situational details they could observe. Then at approximately 08:30 hours, a Department of Public Safety Marine unit arrived on scene and pulled an unconscious subject from the water. Soon after, at 08:33 hours units from the Eagle Pass Fire Department arrived on scene to assist with any non-citizens in need of medical aid. Then at approximately 08:35 hours, SBPA [REDACTED] notified the Eagle Pass South camera room that he had visual of an unconscious subject floating on top of the water near the 2030 however, he was unable to retrieve or render aid to the subject due to the concertina wire barrier placed along the riverbank. At that time no Marine units were in the area to retrieve the subject from the water and render aid however, SBPA [REDACTED] maintained visual of the subject for as long as possible and provided updates on the subject's location until visual was lost.

Further updates to follow.

### Updates (12)

Date/Time	Update	Created By
1 11/11/2023 09:15	At approximately 09:09 hours, EGT notified ASBPA [REDACTED] that the EGT Marine unit would be in route to provide assistance as needed. Additionally, at this time all subjects that successfully crossed the Rio Grande and made entry into the United States are being transported to the SSPF and all Border Patrol Agents on land will be clearing the area. Both the EGT and EGS Marine unit will	[REDACTED]

Def's Exhibit 24

continue to patrol the area for any further subjects.

2 11/11/2023 09:23 At approximately 09:15 hours, the EGS Marine unit notified the EGS Camera Room of a deceased male subject floating on the Mexican side of the Rio Grande River. The subject is wearing blue jeans and a grey shirt. The GOM will be notified and provided with the below coordinates.

Coordinates: 28.65550, -100.48059

3 11/11/2023 09:46 At approximately 09:34 hours, EGT notified ASBPA [REDACTED] that the EGT Marine unit assisted a Department of Public Safety unit in recovering and rendering aid to an unconscious three-year-old female subject in the Heavenly Farms area. It was also noted that the personnel on scene utilized an AED and were administering CPR however, thus far they were unsuccessful in reviving the subject. The subject was taken to the EGT AOR, specifically Shelby Park where further aid could be rendered. As aid was being rendered an Emergency Medical Services unit from Eagle Pass arrived and took over custody of the subject and began transporting the subject to Fort Duncan Regional Hospital while continuing to render aid. At no point during the aid efforts prior to the subject being turned over to Emergency Medical Services did the subject regain consciousness.

4 11/11/2023 09:50 At approximately 09:36 hours, SBPA [REDACTED] advised ASBPA [REDACTED] of a large number of non-citizens staged on the Mexican side of the Rio Grande that may intend to cross in the near future. GOM was notified and provided the below coordinates.

28.65951, -100.495875

5 11/11/2023 09:59 At approximately 09:50 hours, the FOB was notified of the remaining non-citizens of this large group that remained on the Mexican side of the Rio Grande. The FOB made contact with the GOM at 09:57 hours and provided them with the following coordinates. Coordinates: 28.65951, -100.495875. Thus far EGS Border Patrol Agents have apprehended 47 subjects related to this group.

6 11/11/2023 10:32 At approximately 10:26 hours, it was confirmed with the EGT and DPS Marine unit that the previously mentioned three-year-old's mother has successfully crossed the river and is currently on the United States riverbank below the concertina wire barrier in the [REDACTED] area. The DPS Marine unit is aware of this and had visual of the mother as recently as 10:15 hours however, the mother was left in the [REDACTED] area as the DPS marine unit prioritized transporting the daughter due to her medical emergency as the mother was not in need of medical aid.

7 11/11/2023 11:38 As of 11:34 hours, Texas National Guard is currently in contact with a group of non-citizens near the [REDACTED] area and has not requested Border Patrol assistance. The exact number of non-citizens is unknown at this time however, visual of the subjects has been maintained through the use of a Border Patrol camera tower near the [REDACTED] area.

8 11/11/2023 13:24 At 13:02 hours, the EGS CRO spoke with the DPS command post in an effort to clarify the status of the previously mentioned three-year-old child. After further investigation, it was clarified that the child was in fact seven years old and has since passed away at Fort Duncan Regional Hospital due to drowning. Additionally, there is another younger child from the same group that was swept away by the Rio Grande but has not been recovered at this time. FWC, DPS, and Border Patrol units have conducted multiple searches, but have not been able to recover the child at this time. Furthermore, DPS recovered a 17-year-old male unconscious from the Rio Grande and after rendering aid, transferred the subject to Emergency Medical Services for proper transportation to Fort Duncan Regional Hospital. At this time no biographic information is known on these three subjects.

9 11/11/2023 14:27 As of 14:17 hours, the following biographic information was received for the female child that was pronounced deceased at Fort Duncan Regional Hospital.



Def's Exhibit 24

Name: [REDACTED]

The child was traveling with her grandfather, grandmother, twelve-year-old aunt. Their biographical information is as follows:

Grandfather

Name: [REDACTED]

Grandmother

Name: [REDACTED]

DOB: [REDACTED]

Aunt

Name: [REDACTED]

DOB: [REDACTED]

10 11/11/2023 14:44 At approximately 14:23 hours, it was clarified that the previously mentioned mother that was assumed by DPS to be the mother of the seven-year-old child pronounced dead at Fort Duncan Regional Hospital is not related in any way to the child. That seven-year-old child's information can be found in the previous update. However, the previously mentioned mother did report to EGT Border Patrol Agents after being walked by Texas National Guard to POE#2 that her two children were swept away by the Rio Grande earlier this morning. Despite searches throughout the day by the FWC, EGT, and EGS Marine units no signs of either child have been discovered.

11 11/11/2023 15:12 For final clarification purposes, below is a breakdown of the subjects that have been recovered or rescued by boats along with the subjects that have been reported by family members to have been swept away but have not yet been recovered.

Recovered/Rescued Subjects:

One seventeen-year-old male- Subject was recovered unconscious by DPS and then transported by Emergency Medical Services to Fort Duncan Regional Hospital and is in critical condition at this time.

One young female- Subject was previously stated to have been three and then seven years old. At this time due to conflicting information an exact DOB is unknown. Subject recovered unconscious by DPS and transported by Emergency Medical Services to Fort Duncan Regional Hospital. Subject has since been pronounced deceased at Fort Duncan Regional Hospital.

Additionally, three young children in total were allegedly swept away according to various families but have not been recovered and the validity of these claims cannot be confirmed at this time. No biographical information has been provided at this time. Due to DPS and Texas National Guard separating the initial large group and multiple miscommunications on the exact number and biographical information of potential missing subjects by both DPS and Texas National Guard, it is unclear at this time how many subjects were initially swept away by the Rio Grande.

12 11/11/2023 15:25 As of 15:20 hours, all EGS BPAs working line operations to include the Marine Unit have cleared the Heavenly farms area and have resumed normal field operations elsewhere within the Eagle Pass South Area of Responsibility. All efforts within Zone 19 area related to this group have been ceased at this time. All subjects that made entry into the United States have been transported to the SSPF and those that are allegedly unaccounted for have not been found within

No further updates at this time.

Emails Sent			
	Date/Time	Type	Email Distro
1	11/11/2023 01:25	Update	[REDACTED]
2	11/11/2023 01:15	Update	[REDACTED]
3	11/11/2023 01:12	Update	[REDACTED]
4	11/11/2023 12:44	Update	[REDACTED]
5	11/11/2023 12:27	Update	[REDACTED]
6	11/11/2023 11:24	Update	[REDACTED]
7	11/11/2023 09:38	Update	[REDACTED]
8	11/11/2023 08:32	Update	cbp.dhs.gov;trace.crane@cbp.dhs.gov
9	11/11/2023 07:59	Update	[REDACTED]
10	11/11/2023 07:50	Update	[REDACTED]
11	11/11/2023 07:46	Update	[REDACTED]
12	11/11/2023 07:23	Update	[REDACTED]
13	11/11/2023 07:15	Update	[REDACTED]
14	11/11/2023 07:00	Initial	[REDACTED]